

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

RUSSELL LANCE HUTCHINS, #37963

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:08cv57DPJ-JCS

**CHRISTOPHER EPPS, STEPHANIE JONES,
and MARGARET BINGHAM**

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court, *sua sponte*, for consideration of dismissal. Pursuant to the Order issued this day, it is hereby,

ORDERED AND ADJUDGED that the instant civil action will be dismissed without prejudice as to the habeas claim and with prejudice as to the § 1983 claim for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). This dismissal for failure to state claim will be counted as a strike pursuant to 28 U.S.C. § 1915(g).

SO ORDERED AND ADJUDGED this the 23th day of May, 2008.

s/ Daniel P. Jordan III
UNITED STATES DISTRICT JUDGE